

CONSOLIDATED CITY OF INDIANAPOLIS

COUNTY OF MARION

STATE OF INDIANA

EXECUTIVE ORDER NO. 2, 1992

DISSOLUTION OF THE TOWN OF CASTLETON, INDIANA

WHEREAS, I.C. 36-5-1.1 provides the procedure for the dissolution of towns of less than five hundred (500) persons and included towns; and

WHEREAS, the Town of Castleton, Indiana (Town) is a town of less than five hundred (500) persons; and

WHEREAS, as provided in I.C. 36-5-1.1-10.5 on October 7, 1991, the Town Board of Castleton, Indiana (Town Board), adopted a resolution to consider the dissolution of the Town stating that the Town Board would hold a public hearing on November 18, 1991, at 8555 Bash Street at 7:00 p.m. concerning such dissolution, and that the Town Board would hear all statements presented in favor of or in opposition to dissolution and that the Town Board may adopt an ordinance to dissolve the Town at the conclusion of the public hearing; and

WHEREAS, the Clerk-Treasurer of the Town published notice of the public hearing in The Indianapolis Weekly Update, a weekly newspaper of general circulation in Marion County, Indiana, on October 23, 1991; and

WHEREAS, at the conclusion of the public hearing on November 18, 1991, the Town Board adopted an ordinance dissolving the Town upon compliance with the requirements of I.C. 36-5-1.1-10.5; and

WHEREAS, a copy of the ordinance was filed with the Clerk of the Marion Circuit Court on November 19, 1991; and

WHEREAS, a copy of the ordinance was filed with the State certifying official employed by the Indiana State Board of Tax Commissioners designated by the Governor of Indiana on November 19, 1991; and

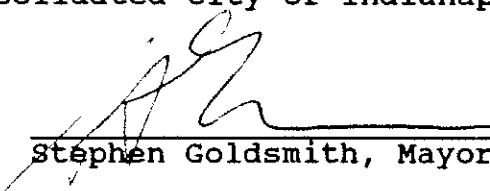
WHEREAS, I.C. 36-5-1.1-10.5 provides that the ordinance dissolving the Town takes effect at least sixty (60) days after adoption and when the ordinance is filed with the circuit court clerk of the county and the state certifying official.

NOW THEREFORE, as the Mayor of the Consolidated City of Indianapolis and the county executive for Marion County, it is ordered that the Town of Castleton, Indiana, is dissolved effective January 19, 1992, and the territory included in the Town of Castleton, Indiana, on November 18, 1991, is a part of the Consolidated City of Indianapolis and Marion County. The books and records of the Town of Castleton, Indiana, are now the property of my office and any property owned by the Town of Castleton, Indiana after payment of debts and liabilities shall be disposed of by me or my designee, and any remaining proceeds shall be deposited in the Marion County General Fund. Dissolution does not affect the validity of any contract to which the Town of Castleton, Indiana, is a party.

Dated this 24th day of January, 1992.

Consolidated City of Indianapolis

By:

  
Stephen Goldsmith, Mayor

CITY OF INDIANAPOLIS  
LEGAL DIVISION  
1601 CITY.COUNTY BUILDING

TO: Sue Beesley, Deputy Corporation Counsel

FROM: Lynn Francis

DATE January 6, 1992

SUBJECT: Dissolution of the town of Castleton

On December 27, 1991, I received a telephone call from Tom Henderson, legal counsel for the town of Castleton, informing me that the town of Castleton was dissolving and requesting that the Mayor's office be made aware of the dissolution and the anticipated transfer of the books and records and remaining assets of the town of Castleton to the Mayor as the county executive.

Castleton has structured its dissolution pursuant to the terms of I.C. 36-5-1.1-10.5. Pursuant to this code section, the legislative body of an included town begins the process of dissolution by adoption of a resolution stating that the town legislative body will conduct a public hearing at a stated date, place and time to consider dissolution; that the body will hear all statements in favor of and in opposition to dissolution at the hearing and that the body may adopt an ordinance to dissolve the town at the conclusion of the hearing. The notice of the public hearing must be published one (1) time at least ten (10) days before the date of the hearing. I.C. 36-5-1.1-10.5(c) and I.C. 5-3-1-2(b). If, at the conclusion of the hearing, the legislative body adopts an ordinance to dissolve the town, a copy of the ordinance must be filed with the circuit court clerk of the county and the state certifying official at the State Board of Tax Commissioners. The ordinance dissolving the town takes effect at least sixty (60) days after adoption of the ordinance and when the filings with the circuit court clerk and the state certifying official are completed. When the ordinance dissolving the town becomes effective, the territory within the town becomes a part of the consolidated city and the books and records become the property of the mayor as the county executive. Any property of the town after payment of debts and liabilities is to be disposed of by the county executive and any proceeds remaining after payment of the debts and liabilities are to be deposited in the county general fund.

Attached are copies of the documents which evidence that the town of Castleton has complied with the requirements of this statutory provision. The ordinance was adopted on November 18, 1991. The ordinance was filed with the circuit court clerk and the state certifying official on November 19, 1991. Therefore, under the code provisions as referenced above, the ordinance will be effective at least sixty (60) days after adoption or on January 17, 1992. At that time, the territory previously constituting the town

Sue Beesley  
January 3, 1992  
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of Castleton will become a part of the consolidated city and the mayor will take possession of the books, records and property of the town.

*Faye J. Mowery*  
*Clerk of the Manns Creek Court*  
*ms*

MINUTES OF PUBLIC MEETING  
AND  
MINUTES OF TOWN BOARD MEETINGS  
OF CASTLETON  
UNDER INDIANA CODE SECTION 36-5-1.1-10.5

Nov 19 11 59 AM '91

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Held October 7 and November 18, 1991

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At its regular meeting at 8555 Bash Street (the office of the Town Marshal and of Northeast Security, Inc.), on October 7, 1991 at 7:00 P.M., the Town Board of Castleton, Indiana, after motion made, seconded, discussion, and unanimous vote, adopted a resolution to consider dissolution of the Town under I.C. 36-5-1.1-10.5 which stated the matters directed by Section 10.5(b) thereof, and pursuant thereto provided for a public meeting on the question at the same place and time on November 18, 1991.

A copy of such resolution and of the newspaper ten (10) day notice thereof published, as required by Section 10.5(b) and I.C. 5-3-1-2(b), as appearing in the Castleton Edition of the Indianapolis Weekly Update, a newspaper of general circulation in the area of the Town of Castleton, on October 23, 1991, is attached and made part hereof by reference.

Such public meeting was held as scheduled and the residents of the Town presented statements predominantly in favor of dissolution.

At the conclusion of such public meeting the Town Board, all members of which were in attendance, upon motion made and seconded, after further discussion, unanimously adopted an ordinance by the following resolution:

RESOLVED, by the Town Board of Castleton, Indiana, pursuant to Indiana Code 36-5-1.1-10.5(e), at the conclusion of the steps required by Section 10.5(a)(b) (resolution October 7, 1991), (c) (notice in accord with I.C. 5-3-1), and (d) (public hearing November 18, 1991), and (e) (adoption of this ordinance), that the Town of Castleton, Indiana, be and the same hereby shall dissolve pursuant to the remaining requirements of I.C. 36-5-1.1-10.5(e), (g), (h), and (i).

The Board further authorized and directed the Town Attorney, Thomas A. Hendrickson, to assist the Town in completing such remaining filing and transactional requirements necessary to complete the legal dissolution of the Town of Castleton, Indiana, in accordance with his letter to the Board of October 4, 1991.

Executed at Castleton, Indiana, November 18, 1991.

(Dianne L. Cooper)  
Dianne L. Cooper, as Clerk-Treasurer,  
Town of Castleton, Indiana

ATTEST:

(Carl R. Wiegand)  
Carl R. Wiegand, as Member of and  
President of, Castleton Town Board

(Al Stradley)  
Al Stradley, as Member of Castleton  
Town Board

(Helen Bentley)  
Helen Bentley, as Member of Castleton  
Town Board

CLERK'S CERTIFICATE

I, Dianne L. Cooper, under penalties of perjury, certify that  
I am the Clerk-Treasurer of the Town of Castleton, Indiana, and  
that the foregoing minutes are true and correct.

November 18, 1991

Dianne L. Cooper  
Dianne L. Cooper

PREPARED BY:

Thomas A. Hendrickson, as Castleton Town Attorney  
135 N. Pennsylvania Street, Suite 800  
Indianapolis, IN 46204-2482  
(317) 632-4417  
FAX (317) 632-4419

## PROOF OF PUBLICATION

STATE OF INDIANA, SS:  
MARION COUNTY,

BE IT REMEMBERED, That on this 23rd day of October, 1991, personally came the undersigned, Dissolution of Town of Castleton, of THE INDIANAPOLIS WEEKLY UPDATE, a weekly newspaper of general circulation in said county and State, printed and published in the city of Indianapolis, county and State aforesaid, who, on \_\_\_\_\_ oath, says the notice hereunto attached was published in said paper ~~once each~~ <sup>one</sup> week for \_\_\_\_\_ weeks, the first of said publications being on the \_\_\_\_\_ day of October 23, 1991, and the last on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. And further deponent says not.

Subscribed and sworn to before me this 18 day of

NOVEMBER

A.D. 1991. My Commission Expires

**JAMES E. FULFORD**  
NOTARY PUBLIC, HAMILTON COUNTY, INDIANA  
MY COMMISSION EXPIRES AUGUST 1992

Notary Public

*[Signature]*

County of residence: Marion

2 • WEDNESDAY, OCTOBER 23, 1991 • INDIANAPOLIS WEEKLY

# LEGAL NOTICE

## NOTICE OF PUBLIC MEETING TO CONSIDER DISSOLUTION OF TOWN OF CASTLETON, INDIANA

To be held at **8555 Bash Street** (the Office of the Town Marshal and of Northeast Security, Inc.), Castleton, Indiana, November 18, 1991, 7:00 p.m.

The Castleton Town Board at its regular 7:00 p.m., October 7, 1991, meeting adopted a resolution to consider dissolution of the Town under Indiana Code Section 36-5-1.1-10.5. This resolution provides:

- 1) The Castleton Town Board will conduct a public hearing at **8555 Bash Street**, the office of the Castleton Town Marshal and of Northeast Security, Inc., Castleton, Indiana, on November 18, 1991, at 7:00 p.m. concerning dissolution of the Town of Castleton.
- 2) At this public meeting the Town Board will hear all statements presented in favor of or in opposition to dissolution
- 3) The Town Board may adopt an ordinance to dissolve the Town at the conclusion of the public hearing

Dianne L. Cooper, Clerk Treasurer, Town of Castleton, Indiana  
10/23/91

# After 139 years, Castleton vanishes

## Vote kills town already lost to traffic, sprawl

By DAVID J. REMONDINI  
STAR STAFF WRITER

Swallowed up by urban sprawl and decimated by declining population, the town of Castleton looked reality in the eye Monday and blinked.

By a 3-0 vote, the town council reluctantly voted to dissolve the tiny burg that's being squeezed by buzzing interstate highways and burgeoning commercial growth.

A few legal niceties remain to be tidied up. But essentially, the town formed in 1852 on prime farmland and generous natural gas fields is history.

"We have done the best we could. It hurts, but I feel closing down will benefit us more," said Council President Carl L. Wiegand.

Attending the brief meeting in the office of Castleton Police Chief Dan Dunbar were board

members. Clerk-Treasurer Dianne L. Cooper, town attorney Thomas A. Hendrickson, a former resident and a few reporters.

More and more residents died or moved away. Others sold land to commercial developers, whose demand for basic services such as streets was far greater than that of a homeowner. The tax resources simply were not there.

See CASTLETON Page 5

INDIANAPOLIS STAR, NOV. 19, 1991, P. 1, C3-5

## Castleton

★ Continued from Page 1

"Through no fault of our own, we are being forced to do this. Our membership is gone. Our money is gone," Wiegand said.

Board member and longtime resident Al Stradley voted for the dissolution.

But he said he didn't like it and blamed landowners who sold their property to commercial developers.

"I just don't believe in it — how they came to let it get this way — because Castleton Town was a nice town," he said.

Today, Castleton has an official population of 37; in the

1950s, the population was almost 400.

The town includes a handful of houses along 82nd Street just east of the shopping centers — but very few of the developments that dominate 82nd Street.

Monday's action sets the stage for Indianapolis to take over municipal services.

Lawrence Township will continue to provide fire and ambulance service, and Marion County sheriff's deputies will provide police protection.

Dunbar will resign as police chief when the town officially folds, ending 26 years of law enforcement in the community.

In fact, Dunbar, who will continue to operate Northeast Security, will use one of the last sheets of official Town of Castleton stationery to apply for a retired police officer's gun permit.



**ACKNOWLEDGEMENT OF FILING**  
**WITH STATE CERTIFYING OFFICIAL**

The undersigned David C. Hurst, under penalties of perjury, states that he is the State certifying official employed by the Indiana State Board of Tax Commissioners designated by the Governor of Indiana with which the foregoing ordinance for the dissolution of the Town of Castleton, adopted by the Castleton Town Board November 18, 1991, is to be filed under IC 36-5-1.1-10.5(e)(2) and 6-1.1-30-15 and that the same was so filed with him this 19th day of November, 1991.



David C. Hurst  
Director of Local Government:  
Cities, Towns, etc., Indiana State  
Board of Tax Commissioners

Prepared by:  
Thomas A. Hendrickson, as Castleton  
Town Attorney  
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Indianapolis, Indiana 46204-2482  
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